

DAVID R. FISCHER, ESQ.  
Nevada Bar No. 10348  
LAW OFFICE OF DAVID R. FISCHER  
400 South 4<sup>th</sup> Street, Suite 500  
Las Vegas, Nevada 89101  
Telephone: (702) 547-3944  
Facsimile: (702) 974-1458  
Email: info@fischerlawlv.com  
*Attorney for Defendant* ANDRE ARAUJO RODRIGUES

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

ANDRE ARAUJO RODRIGUES,  
Defendant.

**Case No.:** 2:17-cr-00001-JAD-CWH-3

**STIPULATION TO CONTINUE  
HEARING FOR SENTENCING**

**(Second Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas Trutanich, United States Attorney, and Patrick Burns, Esq., Assistant United States Attorney, David R. Fischer, Esq., counsel for defendant ANDRE ARAUJO RODRIGUES, that the Hearing for Sentencing in the above-captioned matter set for Tuesday, January 22, 2019 at 9:00 A.M. be vacated and continued to a date and time convenient to the Court but no earlier than sixty (60) days.

This Stipulation for the continuance is entered into for the following reasons:

1. This is a request by counsel for the Defendant, ANDRE ARAUJO RODRIGUES;

2. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that “the court may, for good cause, change any limits prescribed in this rule”;
3. Patrick Burns, Esq., Attorney for the Government, informs that he intends to file additional charge(s), which will require additional time for the defense to review and discuss with defendant;
4. Patrick Burns, Esq., Attorney for the Government, has stipulated to the proposed continuance;
5. Counsel communicated with the Defendant, ANDRE ARAUJO RODRIGUES, who is currently in custody at the Nevada Southern Detention Center, and he agrees with the continuance;
6. This is the second request for a continuance filed herein.

WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a continuance of the Sentencing Hearing to be set to a date and time convenient to the Court but no earlier than sixty (60) days.

DATED this 17<sup>th</sup> day of January, 2019

/s/ Patrick Burns  
PATRICK BURNS, ESQ.  
Assistant United States Attorney  
Counsel for the United States

*/s/ David R. Fischer*  
 \_\_\_\_\_  
 DAVID R. FISCHER, ESQ.  
 Counsel for Defendant RODRIGUES

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

I HEREBY CERTIFY that I am an employee or agent of the LAW OFFICE OF DAVID

That on the 17<sup>th</sup> day of January, 2019, I served a copy of the above and foregoing

**STIPULATION TO CONTINUE SENTENCING HEARING** in the following

☒ ELECTRONIC SERVICE: Pursuant to Local Rule IC 4-1 of the United States District Court for the District

of Nevada, the above-referenced document was electronically filed and served on all appearing parties

☒ UNITED STATES MAIL: By depositing a true and correct copy of the above referenced document into the

United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing

ANDRE ARAUJO RODRIGUES  
Nevada Southern Detention Center  
2190 East Mesquite Avenue  
Pahrump, NV 89060

☐ **OVERNIGHT COURIER:** By depositing a true and correct copy of the above referenced document for

overnight delivery via a nationally-recognized courier, addressed to the parties listed below at their last-

☐ **FACSIMILE:** By sending the above-referenced document via facsimile to those persons listed on the

attached service list at the facsimile numbers set forth thereon.

☐ EMAIL: By sending the above-referenced document via email to those persons at the email addresses set

forth below:

/s/ David R Fischer  
DAVID R. FISCHER, ESQ.  
Attorney for Defendant RODRIGUES

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.

Case No.: 2:17-cr-00001-JAD-CWH-3

ANDRE ARAUJO RODRIGUES,  
  
Defendant.

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
Court finds that:

1. This is a request by counsel for the Defendant, ANDRE ARAUJO RODRIGUES;
2. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that “the court may, for good cause, change any limits prescribed in this rule”;
3. Patrick Burns, Esq., Attorney for the Government, informs that he intends to file additional charge(s), which will require additional time for the defense to review and discuss with defendant;
4. Patrick Burns, Esq., Attorney for the Government, has stipulated to the proposed continuance;
5. Counsel communicated with the Defendant, ANDRE ARAUJO RODRIGUES, who is currently in custody at the Nevada Southern Detention Center, and he agrees with the continuance;
6. This is the second request for a continuance filed herein

